

1
2
3
4
5
6
7
8 NOT FOR CITATION
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 JOHN ZINN,

No. C 08-0634 JF (PR)

12 Petitioner,

ORDER OF DISMISSAL WITHOUT
PREJUDICE

13 v.

14 LEE ANN CHRAVES,

15 Respondent.
16
17 _____/

18 **United States District Court** Petitioner, a state prisoner proceeding pro se, seeks a writ of habeas corpus pursuant
19 to 28 U.S.C. § 2254. On January 28, 2008, the Court sent a notification to Petitioner
20 informing him that his action could not go forward until he paid the filing fee or filed a
21 completed prisoner's in forma pauperis application. The Clerk of the Court provided a copy
22 of the correct form for application to proceed in forma pauperis, instructions, and a
23 notification that the case would be dismissed if Petitioner failed to pay the fee or file the
24 completed application within thirty days.

25 On March 24, 2008, the Court's notice was returned by mail with a notation that
26 Petitioner is no longer in custody. As of the date of this order, Petitioner has not paid the
27 filing fee, filed a completed in forma pauperis application, or communicated with the Court.

28 ///

1 Accordingly, the instant habeas action is DISMISSED without prejudice for Petitioner's
2 failure to pay the filing fee or file a completed in forma pauperis application. The Clerk shall
3 terminate any pending motions and close the file.

4 IT IS SO ORDERED.

5 Dated: 3/31/08


6 JEREMY FOGEL
United States District Judge

18 United States District Court
19 Southern District of California
20
21
22
23
24
25
26
27
28